

# **Exhibit P**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)  ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN)  ECF Case

**DECLARATION OF KEVIN SHAEFFER**

I, Kevin Shaeffer, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present at the Navy Command Center located in the Pentagon when the terrorist attack to the Pentagon occurred.

4. I was a Lieutenant in the United States Navy working on the Chief of Naval Operations staff. Our office was located within the Pentagon.

5. I was working at my desk at 9:37 am when the command center exploded in a gigantic orange fireball. I felt myself being slammed to the deck by a massive and thunderous shock wave. I never lost consciousness in the aftermath of the explosion. The space was filled

with thick, acrid smoke which burned my mouth and throat as I struggled to breath. I called out for help but to no avail as there was no-one to answer my pleas. My mind raced to my wife Blanca and I was sickened by thought that I may never see her again. I kept moving and thinking about how to get out of there. The ceiling had collapsed and I was crawling over rubble in places. There were frayed electrical cables and gushing water had been released from broken pipes. I managed to crawl to a space adjacent to the command center where I could at long last see glimpses of daylight streaming in through the smoke. I escaped through a hole that had been blown out in the brick wall adjacent to A and E Drive, between the third and fourth Pentagon rings. I was ultimately transported to Walter Reed Army Hospital and then to the Burn Clinic at Washington Hospital Center.

6. As a direct result of September 11, 2001 terrorist attack at the Pentagon, I suffered the following specific physical injuries on September 11, 2001: 41% total body surface area burns with second and third degree burns. In all, I was hospitalized for a total of three months and three days following September 11, 2001. I can best describe the pain of my burns as being a white hot pain. As a result of smoke inhalation, my lungs were damaged, so I was put on a ventilator for two full months. Due to fluid buildup in my lungs, I was strapped to a rotating bed for several weeks. My body struggled to fight off infections and pneumonia. At one point, I became septic and I went into cardiac arrest twice. Once the infections were successfully fought off, I began undergoing skin grafts. Shortly before my discharge, I was informed that I had the lungs of a 55 year old, life-long smoker. After my discharge, I continued to undergo physical therapy three times a week. I have undergone over seventeen surgeries. I continue to bear the scars of that tragic day on nearly 50% of my body. I have nerve damage on the right side of my body that numbs portions

of both my right arm, right hand and right foot. I have arthritis-like pain in the joints of my fingers and both of my elbows. I was diagnosed in early 2003 with sleep apnea.

7. I received extensive medical treatment for my injuries and remained hospitalized until December 14, 2001. Attached as Exhibit B to this Declaration is a true and correct copy of my medical records related to the treatment that I received for my physical injuries caused by the September 11, 2001 terrorist attacks.

8. I suffered severe emotional distress as a result of the September 11, 2001 terrorist attacks and the injuries I received on that day.

9. I previously pursued a claim (Claim Number VCF 212-006061) through the September 11<sup>th</sup> Victim Compensation Fund specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.

EXECUTED on this 6<sup>th</sup> day of January, 2020.

  
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Signature of Declarant, Kevin Shaeffer

# **Exhibits Filed Under Seal**